

REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of December 7, 2005.

Reconsideration of the Application is requested. **Claims 1-6, 13-18 and 25-28** remain in this application. **Claims 7-12, 19-24 and 29-33** are canceled. **Claims 1, 13 and 25** are presently amended. **Claims 2-6, 14-18 and 26-28** remain as originally filed.

The Office Action

Claims 1-33 stand rejected under 35 U.S.C. 103(a) as being unpatentable over McGrath, Michael, "Setting the PACE in Product Development: A Guide to Product and Cycle Time Excellence," 1996, Butterworth - Heinemann (Eisevier), Boston, PP. 1-184..

With regard to **Claims 1-6, 13-18 and 25-28**, the Applicant has amended independent **Claims 1, 13 and 25** to more clearly define the claimed subject matter of this application. In addition, independent Claim 1 now includes the previous limitations of dependent **Claims 7-12**, presently cancelled. Independent **Claim 13** now includes the previous limitations of dependent **Claims 29-33**.

Specifically, the currently pending claims are drawn to a method and system of managing multiple software projects, where the software projects are identified as a mandatory type, nonmandatory type and ad hoc type, as discussed in the specification on page 4, line 13-page 5, line 4. In addition, the currently pending claims include the feature of maintaining the time held in reserve below a preselected threshold value. This feature is discussed in the specification on page 11, line 30-page 12, line 4.

To add further clarification, the features discussed in the preceding paragraph are now explained.

As previously stated, the claimed subject matter is drawn to a software project management method and system which includes mandatory type projects, nonmandatory type projects and ad hoc type projects. Mandatory projects are software projects which have a fixed schedule and are scheduled for release as part of a core software product. Nonmandatory projects are software projects which have not been scheduled for release as part of a core product release with a fixed schedule. Nonmandatory projects may

eventually be classified as mandatory projects and subsequently released as part of a core product release.

Ad hoc projects are completely separate and distinguishable from mandatory and nonmandatory type projects. Ad hoc projects are customized solutions or other specialized work that is tailored to a specific customer or group of customers. Ad hoc projects are not, per se, scheduled for release as part of a core product release. Ad hoc projects typically arise with short notice and must be completed within a fixed time and are scheduled accordingly. Ad hoc projects are a profitable and desirable aspect of software development. The claimed subject matter and supporting disclosure provides a solution for utilizing and managing resources to complete mandatory type projects and ad hoc projects.

With regard to the Office Action mailed December 7, 2005, (hereafter referred to as the Office Action), currently pending **Claims 1-6, 13-18, and 25-28** are rejected as being obvious in view of McGrath, Michael, "Setting the PACE in Product Development: A Guide to Product and Cycle Time Excellence," 1996. This grounds for rejecting the currently pending claims is respectfully traversed.

Regarding independent **Claims 1, 13, and 25**, the Office Action asserts McGrath teaches the claimed limitation of "based on said time estimates, allocating a first amount of time for performance of said mandatory projects, allocating a second amount of time for performance of said ad hoc projects; and allocating a third amount of time to be held in reserve, wherein the sum of the first, second, and third amounts of time is less than or equal to said available hours." The Office Action, at page 4, first paragraph, goes on to assert McGrath, at page 140, paragraphs 4 and 5, teaches allocating time for performance of projects between hard and soft commitments, whose mandatory projects, as claimed, are the equivalent of hard commitments and ad hoc projects, and reserve, as claimed, is the equivalent of soft commitments.

As previously discussed, the Applicants' claimed mandatory type projects and ad hoc type projects are both considered hard type commitments. At page 140, paragraphs 4 and 5, McGrath explains "Hard commitments include projects in the latter phase of development (after specification and planning are complete) and product support activities that require immediate resolution (which are often grossly underestimated). Soft commitments are those development activities that can be delayed or rescope."

To summarize, the claimed subject matter and disclosure provide a solution for managing hard type commitments, where ad hoc type projects can arise with little notice.

Therefore, it is respectfully requested that the rejection of independent **Claims 1, 13 and 25**, as being obvious in view of McGrath, be withdrawn. In addition, it is requested that all currently pending claims dependent on **Claims 1, 13 or 25** (i.e. **Claims 2-6, 14-18 and 26-28**) be withdrawn as well.

In addition to the discussion above with regard to independent **Claims 1, 13 and 25**, the Applicants respectfully traverse other grounds for rejecting **Claims 1, 13 and 25** as being obvious in view of McGrath.

Specifically, the Office Action asserts, at page 5, paragraph 5, McGrath at page 141, paragraph 2, teaches the claimed limitation "for each project type, determining if there exists a time imbalance between the allocated time for completion; and if there exists a time imbalance, reallocating the first, second, and third accounts of time to eliminate the time imbalance." As stated in the respective claims, "first amount of time" refers to mandatory projects, "second amount of time" refers to ad hoc projects and "third amount of time" refers to time held in reserve.

The Office Action goes on to assert that McGrath teaches "the redeployment of resources to projects not having flexibility in end dates. This supports the pipeline management idea of redeploying resources from soft commitments to third commitments. As previously discussed above, the Applicants' claimed subject matter includes a system and method to complete mandatory type projects and ad hoc projects within fixed schedules. These are not soft commitment as discussed in McGrath.

Accordingly, it is requested that the rejection of currently pending **Claims 1-6, 13-18 and 25-28** be withdrawn.

As a final argument in support of allowance of **Claims 1-6, 13-18 and 25-28**, with respect to the obviousness of these claims in view of McGrath, independent **Claims 1, 13 and 25** have been amended to include the feature of limiting the reserve time to a value less than a pre-selected value. As discussed in the specification at page 11, line 30- page 12, line 4, by limiting the amount of time held in reserve, the claimed project management method and system promotes an efficient allocation of working hours for completion of mandatory and ad hoc type projects within a fixed schedule.

This claimed feature of a "predetermined time held in reserve" as applied to the management of resources to complete mandatory, non mandatory and ad hoc projects, as claimed, is not taught or disclosed by McGrath. Accordingly, it is respectfully requested the rejection of **Claims 1-6, 13-18 and 25-28** be withdrawn.

CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (**Claims 1-6, 13-18 and 25-28**) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

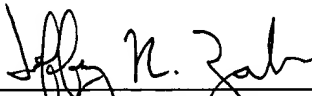
No additional fee is believed to be required for this Amendment A. However, the undersigned attorney of record hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Deposit Account No. 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Jeffrey N. Zahn, at Telephone Number (216) 861-5582.

Respectfully submitted,

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Date



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